(4)

No. 04-1079

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2004

In re Gary R. Wall
Petitioner

ON PETITION FOR AN EXTRA ORDINARY WRIT TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

APPENDIX: PETITION FOR REHEARING

SUBMITTED BY:
GARY R. WALL, PETITIONER
60 Carriage Hill Drive
Wethersfield, CT. 06109
860-529-2651

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EXHIBIT A

March 1, 2005

CHAMBERS

Honorable Chief Judge Robert N. Chatigny

U. S. DISTRICT COURT

450 Main Street

Hartford, CT. 06103-9998

RE: Continued Judicial Obstruction (Bridgeport Division)

Dear Chief Judge Chatigny:

I am writing this letter to Your Honor because it is absolutely necessary to do so, because of serious new circumstances involving the continuation of judicial fraud and obstruction occurring from the Bridgeport Division.

Explanation and Illustration:

On or about February 17, 2005, both plaintiff Wall and plaintiff Cooksey (Wall v. Laborers' Local 230 3:97-CV-00942(JCH)) were sent "Notice of Appearance" and an "Acknowledgement Letter" from the deputy clerk for the Second Circuit. Enclosed with the "Acknowledgement Letter" was the "Public Docket for Second Circuit Court of Appeals", submitted by the Bridgeport Division to

the Second Circuit "corrections" were made to the "caption page" and sent to the Second Circuit per instruction of the acknowledgement letter. I have attached to this letter a copy of the public docket sheet, a copy of the February 22, 2005 letter to the deputy clerk of the Second Circuit, with its attached Caption page with corrections for Wall v. Laborers Local 230 05-0085-CV. Also enclosed is a February 23, 2005 "Public Docket Correction" letter to the deputy clerk for the Second Circuit.

Please take special notice of the multiple errors in the caption page correction. I did not elaborate on the errors with the Second Circuit clerk, because he is not responsible for them, the Bridgeport Division is responsible, and the multiple errors are not errors. They are a continuation of documented 6 full years of intentional and deliberate judicial frauds and deceptions to obstruct the truth and pleadings. Said (documented and illustrated) judicial frauds have become an obsession in the Bridgeport Division causing this petitioner to question the soundness of mind of the Federal Judge who is orchestrating these heinous and disgraceful crimes against pro se citizens plaintiffs of the United States.

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Clarification

On page 2 of the "Public Docket", Shaun B. Cashman is cited as a defendant. Shaun B. Cashman was served a subpoena subject to testimony, in a prior deposition, stating that Mr. Cashman committed a 29 U.S.C. 530/18 U.S.C. 1951 assault on a LIUNA official (when he was a LIUNA official), who questioned suspicious union expenditures involving Cashman and Katz, a protective order was granted for Mr. Cashman by the Court. On page 4 of the Public Docket, the Department of Labor is cited as a defendant. This deliberate docket deception was committed in order to make the pro se plaintiffs appear reckless suing everyone. Presently Shaun B. Cashman is the Commissioner of Labor; State of Connecticut appointed by reason of a Governor Rowland (18 U. S. C. 1961(4)) racketeering scheme.

Next Public Docket Deception:

Also on page two of the public docket, Region 34 N.L.R.B. is cited as a defendant. Regional Director Hoffman was served a subpoena. Upon service of the subpoena Region 34 transferred three boxes of files to Washington, D.C., N.L.R.B. Special Litigation Department – the reason for 02-MS-354(DAR) District

of Columbia. In the interim, the Bridgeport Division granted a protective order for Region 34, but the files are still in the District of Columbia, judicial notice stalled, subject to a decision on Fed. R. Evidence 201 Opportunity to be Heard.

Also on page two of the public docket, William Cullina is cited as a defendant. William Cullina was deposed, questioned about his law firm's involvement in the fraudulent depletion of Wall and Cooksey's pension and the Colonial Realty pension scheme. Also on page two, both executive directors Richard Weiss and the Connecticut Laborers' Pension Funds are not defendants in 3:97-cv-00942(JCH) now 05-85CV 2d. Cir. Subject to the depositions of Richard Weiss both Richard Weiss and the Connecticut Laborers Pension fund are defendants (18 U. S. C. 664; 18 U. S. C. 1341; 18 U. S. C. 1343; 18 U.S.C 1962(d)(c)) in the separate but related OCCA RICO Complaint 3:04-CV91(WWE). The judicial docket deceptions and extrinsic fraud involving Weiss and the CLFP were deviously committed in 3:97-CV-00942(JCH) in order to obstruct 03:04-CV91(WWE) by reason of res judicata. It is absolutely disgusting the time and thought a Federal Judge put into that degrading obstruction scheme.

Sherly M. McLaughlin is not a defendant. Ms. McLaughlin was issued a subpoena and was deposed represented by A.U.S.A. Lauren Nash. Ms McLaughlin was deposed in her capacity as an inspector for the D.O.J./LIUNA Operating Agreement. Ms. McLaughlin was one of two former Federal agents deposed. Adding to the judicial manufactured confusion, on page one of the Public Docket it states, "Appeal from: District of Connecticut (New Haven)." How can anyone make a mistake of that kind sending the Public Docket from the Bridgeport Division second time in six (6) years citing it is coming from the New Haven Division; Judicial manufactured confusion and obstruction from the base cheap level of Public Docket fraud and docket sheet fraud to the insidious sophisticated judicial frauds committed through fraudulent obstructions of the actual pleadings. This petitioner takes great care in precision pleading respecting the rights of everyone involved.

The petitioner respectfully request relief from the

UNPRECEDENTED

USURPATION OF OUR FUNDAMENTAL RIGHTS being committed in the Bridgeport Division, caused by the corrupt use of a Congressional Act and the political and monetary buy-out of a 212-page OCCA/RICO Complaint. The petitioner and the plaintiffs do not want to file a Civil Rights Act suit against the politically corrupt and RICO influenced Bridgeport Division but we can't be the only ones who RESPECT and FOLLOW the RULES. This petitioner has an abundant amount of documented incriminating evidence pursuant (inter alia) to a two year F.R.C.P. 11(b)(3) investigation supporting those serious averments. In the interest of the Justice System of the United States, the petitioner and the plaintiffs respectfully request Your Honor in Your Honors position of Chief Judge, protect the plaintiffs from the criminal actions of the Bridgeport Division.

This petitioner takes no pleasure in writing these letters to Your Honor. This matter for Judicial Policing became known post Supreme Court mandamus. It is the beginning of another criminal scheme to obstruct the pleadings by the Bridgeport Division 3:97-CV-00942(JCH) effecting 05-85-CV; 3:04-CV-91(WWE) making this letter an absolute necessity.

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A copy of this letter and its attachments is being sent to the Chief Judge of the Second Circuit due to the fact that the docket fraud effects 05-85-CV Second Circuit. A copy of this letter is also being sent to the Honorable Thomas Hogan, Chief Judge District of Columbia due to the fact that docket fraud could and will, if not clarified and corrected, effect 02-MS-354(DAR) District of Columbia.

Respectfully Submitted:_____

Gary R. Wall, Rule 11 (b)(3) Petitioner

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EXHIBIT B

March 14, 2005

CHAMBERS

Honorable Chief Judge Robert N. Chatigny

United States District Court

450 Main Street

Hartford, CT. 06103-9998

RE: Judicial Obstruction and Fraud Dismiss 3:04-CV-91(WWE)

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Dear Chief Judge Chatigny:

Thirteen days ago, I sent Your Honor a letter titled: "RE: Continued Judicial Obstruction (Bridgeport Division)." The primary subject matter of the letter concerned intentional Public Docket deception committed in the Bridgeport Division, which is part of a multi case pattern of judicial collusion by Federal Judges in the Bridgeport Division to knowingly violate their Article III Oath by committing multiple documented and illustrated Extra Judicial Acts of Fraud and Misconduct in order to conceal political corruption that caused Department of Justice corruption (OC Division) see background Wall, Cooksey v. Local 230 et al 224 F3d 168.

The March 1st letter to Your Honor involved Extra Judicial Acts of Misconduct concerning 3:97-CV-00942(JCH) remand case off 224 F3d 168 Supra. This subsequent and absolutely necessary letter concerns Extra Judicial Acts of Judicial Fraud and intentional misconstruction of the pleadings, in the fourteen month old OCCA RICO Complaint and Standing Order Wall, Cooksey, Manos v. LIUNA et al 3:04-CV-91(WWE).

Enclosed with this letter is the Bridgeport Division "Ruling On Defendants' Motion to Dismiss", "Filed March 1, 2005" also enclosed is Plaintiffs 59(e) Response to said Ruling titled:

"Plaintiffs F.R.C.P. 59(e) Memorandum of Law in Response to the Courts March 1, 2005 ruling on Defendant's Motion to Dismiss"

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F.R.C.P. 9(b) Scienter Statement: On October 23, 1997 Chief Judge at the time Allan H. Nevas, transferred 3:97-CV-00942 from (Honorable Judge Arterton New Haven Division) to Judge Hall 3:97-CV-00942(JCH). One week after Judge Hall was confirmed, the plaintiffs were Judge Hall's first plaintiffs. Pursuant to an 11(b)(3) investigation many facts point to Judge Nevas as the primary cause of the Judicial Crimes.

The primary motive of Judge Nevas is to conceal his former D.O.J. colleague's involvement in a criminal conspiracy to defraud the United States "Operating Agreement". The latest indisputably reckless and obstructionist ruling out of the Bridgeport Division is so flagrant and obvious that it is a complete disgrace and dishonor to the Federal Judicial System. Judge Nevas has contaminated multiple cases in the Bridgeport Division that involve directly or indirectly the "Operating Agreement" between the United States and LIUNA. Judge Nevas has done so in a stealthy manner using law clerks or using Judges under his influence to obstruct the pleadings (documented and illustrated). This petitioner realizes that Judge Nevas is a very powerful man, but he should not be more powerful than the Constitution he took an Oath to protect. Judge Nevas stealthy High Crime Article II Sec. 4 Actions are the acts of a zealot prosecutor, with a black robe on, not a real Federal Judge.

Please be advised that at the proper time a Civil Rights Act suit will be filed subject to the status of the Sup. CT. R. 20 Mandamus In re Wall 04-1079 against Judge Nevas, Hall and Eginton for

usurpation of our Civil and Statutory Rights in violation of the Constitution's Article III Oath for "High Crimes" committed in the meaning of Article II Sec. 4. ((*11)(b)(3) Investigated and Documented inter alia).*

The petitioner and the plaintiffs would prefer not to file the Civil Rights Act Complaint. Therefore the petitioner respectfully request Your Honor remove the two pending cases under the obstructionist tactics of Judge Nevas from the Bridgeport Division. As stated in prior letters the plaintiffs in the multiple cases have always conducted themselves in a polite manner and have followed the rules explicitly, and we will continue to do so. But, we must be direct when our Civil Liberties and Rights are being violated in this uncaring and reckless manner by Federal Judges in the Bridgeport Division.

Please take the time to read the March 1st Ruling and the 59(e) Motion in response, not for any legal determination but for the express purpose of Judicial policing of the Article II Sec. 4 High Crimes, and in so doing, let Your Honor position, as Chief Judge District of Connecticut, and Your Honor's good conscious be Your Honor's guide.

In ending, if jurisdiction is denied on the Sup. CT. R. 20 Mandamus, and or if the Breyer Committee investigating Ethics violations of 28 U. S. C. 455/28 U. S. C. 351 are not pursued by the committee, the petitioner will file this instant letter with the March 1, 2005 ruling and the plaintiffs 59(e) Motion in response,

under Sup. CT. R. 44(2)'s rehearing clause, "----intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented."

This petitioner would prefer not to do so, but all legal remedies must be exhausted by reason of the unprecedented breach of our Constitutional Rights having been committed by EXTREME, FLAGRANT, Extra Judicial Acts of Obstruction and Fraud in the Bridgeport Division.

Please do not forget that an effective date OCCA/RICO enterprise has full knowledge, by participation in the pleadings, that they have criminally "influenced" the Bridgeport Division.

Respectfully Submitted:
Gary R. Wall, Rule 11 Due Process Petitioner

60 Carriage Hill Drive

Wethersfield, CT. 06109

860-529-2651

EXHIBIT C

May 9, 2005

CHAMBERS

Robert N. Chatigny,

CHIEF JUDGE

U. S. COURTHOUSE

APP. P. 12

450 Main Street

Hartford, CT. 06103-9998

RE: "Intervening Circumstances of a Substantial or Controlling Effect" (post mandamus) In the Meaning of Extra Judicial Acts of Obstruction of the Pleadings.

Dear Chief Judge:

This letter is being written to Your Honor as a follow up letter concerning my March 1, 2005 letter "RE: Continued Judicial Obstruction (Bridgeport Division 3:97-CV-942(JCH)) and my March 14, 2005 letter "RE: Judicial Obstruction and Fraudulent Dismissal 3:04-CV-91(WWE).

Both letters concern the continuation of "intervening circumstances" in the meaning of arrogant and flagrant Extra Judicial Acts of Judicial Obstruction and Fraud occurring after the filing and service of the mandamus.

As stated in the March 14, 2005 letter to Your Honor (quoted in italics for clarity):

"In ending, if jurisdiction is denied on the Sup. CT. R. 20 Mandamus, and or if the Breyer Committee investigating Ethics

violations of 28 U. S.C. 455/28 U. S. C. 351 are not pursued by the committee, the petitioner will file this instant letter under Sup. CT. R. 44(2)'s rehearing clause – intervening circumstances of a substantial or controlling effect or other substantial grounds not previously prosecuted".

On April 18, 2005 said mandamus was denied, and the Breyer Committee is silent. Therefore, this letter and a letter dated this same day to Chief U. S. Attorney Kevin O'Connor has become necessary and vital to the protection of our basic fundamental Civil Rights. This is an extremely shameful situation in the district of Connecticut caused by one Federal Judge protecting his former D.O.J. colleagues and "reliable 30 year government informants" from their involvement in the corrupt use of the Organized Crime Control Act 1970 (RICO).

PRELIMINARY FACTUAL CONTENTIONS F.R.C.P. 11(b)(3) INVESTIGATION

One of the most important findings subject to the 11(b)(3) inquiry was the finding of Extra Judicial obstructionist use of law clerks; Very dangerous to the well being of the Judicial Institution itself and the United States. It has been over six months since this

petitioner made the following statement to Your Honor (quoted from October 23, 2004 Letter in italics):

"in said recent communications to Your Honor, the petitioner raised the issue of improper actions by law clerks in Your Honor's district. There has been clear evidence of a facile showing to Your Honor demonstrating that fact. Said improper acts are being committed by direction of Federal Judges in the district of Bridgeport, who are using the law clerks to intentionally undermine and obstruct pro se pleadings committing Extra Judicial Acts of intentional misuse of law clerks. No more serious press. They just continue to obstruct the multiple complaints LMRDA; *"High Crimes" can be committed than to usurp pro se citizens Rights in that criminal manner."*

Please take notice that all three Federal Judges in the Bridgeport Division (Nevas; Hall; Egington) are afraid to defend their integrity by calling a hearing and inviting the Civil Right Action In Equity; RICO. Federal Judges obstructing and hiding. In some Third World Countries Federal Judges wear a hood. That comparison is appropriate considering the documented and illustrated evidence filed in the Bridgeport Division that was

obstructed by Extra Judicial Criminal Acts that cause severe harm to our basic Civil Liberties and Rights.

As for the condition of safety of our persons, we have had to tolerate the Extra Judicial Criminal protection of serious Title 18 and Title 29 criminal violations by the Bridgeport Division. As for just facile examples, obtained by subpoena, communication to the U. S. Attorney Office Chicago via "Operating Agreement" by the officers of Local 230 accusing this petitioner of murder, shooting out windows of cars and baseball batting a business agent multiple assaults and multiple Hobbs Act violations. Also subpoenaed was a tape of union meeting where an officer read out loud to the membership said communication, accusing this petitioner of murder, shooting out windows, and baseball bat assault. During said union meeting in full presence (Podium and front row) to the membership are Federal Agents in the meaning of 18 U. S. C. 1961(7) Also present signatory to the "Operating Agreement" with the D.O.J., Vere O. Haynes; all allegations proven false by approximately two years of discovery cost $25,000.00. But the plaintiffs are still labeled "Barred" by the officers of Local 230 and LIUNA of the $25,000.

Plaintiff Cooksey on disability let his car go in order to pay his share. Plaintiff Cooksey had his medical and psychiatric records taken from the Connecticut Laborers Pension Fund illegally, without his knowledge and read out to the membership by an officer, who portrays him as dangerous even though his condition was just a depression. The defendants later issued fraudulent subpoenas to hide their heinous crime. Said subpoenas proved to be fraudulently dated and fraudulently fabricated after the fact. The brutal assault of plaintiff Manos on tape ending with the phrase The Hobbs Act was writing for "We Own You" protected by the Court.

Only a corrupt prosecutorial mind would facilitate such criminal actions. To allow a Federal Judge to do so or to stay silent is to accept Third World Injustice, which the plaintiffs respectfully cannot do.

The degree of arrogance and disrespect for the Rule of Law in the Bridgeport Division, brings this petitioner to question the soundness of Judge Nevas mind influencing other Federal Judges and Law Clerks to commit the sophisticated and sometimes petty crimes against our Rights. The use of law clerks by lifetime

appointed Judges is a serious matter that should be immediately looked into.

Judge Nevas dishonest contamination of the Bridgeport Division also explains why the defendants are allowed for years to violate a signed agreement with the Department of Justice allowing them to openly embezzle membership money to defend against their Federal Criminal Statutory Actions. Quotes in italics from "LIUNA Ethics and Disciplinary Procedure" dated 4/01, in its relevant part:

--"in order to accomplish more fully the purposes of LUINA Ethical Practices Code, and the LIUNA Ethics and Disciplinary Procedure, it is hereby declared to be the policy of General Executive Board that union funds may not be used for the payments of the legal fees or expenses for the representation of any officer, member, or employee at any stage of a criminal matter or at any stage of a civil action claiming a breach of fiduciary duties prior to the resolution of the allegation or charge".

Therefore, subject to the documented and illustrated evidence sent to Your Honor in multiple mailings pursuant to F.R.C.P. 11(b)(1)(3), for a Civil Right Complaint against the Bridgeport

Division (inter alios) – this petitioner respectfully request that Your Honor exercise Your Honors institutional police powers as Chief Judge of the District of Connecticut. And in doing so, stop the Judicial obstruction and frauds occurring in the Bridgeport Division.

As an immediate matter, please expedite the intentional frauds on the "Public Docket Sheet" illustrated to Your Honor in the March 1, 2005 letter related to 3:97-CV-00942(JCH). Please take notice in the March 1, 2005 letter that the "Public Docket Correction Letter" to the Second Circuit is dated February 23, 2005. This is one of many stall tactics perpetrated on the plaintiffs by DNC/DOJ influenced network of Judges. Multiple district level litigation, multiple litigations Second Circuit, multiple litigations Supreme Court 01-1401; 01-1402; 04-1079; District of Columbia Subpoena power case 02-MS-354(DAR) exposed a network of Judges and Network of Law Clerks who either directly or by influence make legal determinations based on sociopolitical reasons.

This is why there is such a fight concerning Federal Judges. The network affiliation is Sub Rosa, which uses their life time signature for the networks sociopolitical reasons. Please take notice that

since the first Nevas transfer October 23, 1997, the Court has never tried to sanction this petitioner/Rule 11 plaintiff, and the Justice Department has not tried to indict this petitioner for RICO predicate 18 U. S. C. 1510 interference with a Government Investigation ("Operating Agreement" LIUNA/D.O.J.) 18 U. S. C. 1961(8). Because you can't sanction the truth at a hearing and you can't indict the truth at an arraignment, the only way left is to hide by further and more flagrantly; malicious Extra Judicial acts of obstruction and fraud, which is occurring post mandamus the last two rulings.

YOUR HONORS NON-RESPONSE TO ILLUSTRATED JUDICIAL CRIMES IN YOUR HONORS DISTRICT

Your Honor has not responded to the progression of letters to Your Honors illustrating a consistent abuse of our Rights in the Bridgeport division. One of the letters dated December 27, 2004 filed in the mandamus appendix pages 71-78; the other two are filed in the rehearing appendix March 1, 2005, pages March 14, 2005 pages.

Your Honor has been shown documented and illustrated flagrant and insidious judicial acts of corruption and fraud occurring to this day in the two cases pending in Your Honors Bridgeport Division. Judge Hall in 3:97-CV-00942(JCH) has committed by Nevas influence or directly for reasons of sociopolitical influence, unthinkable violations of her oath as a Federal Judge and moral worth as a human being. As stated in the January 27, 2005 letter to the Chief Judge of the Second Circuit (copy sent to Your Honor) also entered mandamus appendix page 99-106 relevant part of page 101 quoted in italics:

"Ever since Judge Nevas transferred 3:97-CV-00942(JCH) to the Bridgeport Division (October 23, 1997) documented and illustrated Extra Judicial Acts of Obstruction occurred. As time went on more flagrant and obvious, to the point of Judge Hall's latest Extra Judicial Act of Obstruction i.e. her August 31, 2004 Ruling, which was a reckless, obvious and hostile Judicial Act of Obstruction of Justice".

Political buy out of a 212-page RICO Complaint. The severity and boldness of the Judicial Crimes in the Bridgeport Division includes post mandamus, Judge Hall's flagrant intentional fraudulent

misconstruction of the pleading in her August 31, 2004 Rule (3:97-CV-00942(JCH)), her docket fraud (Public Docket Sheet to Sec. Cir.) made known seven (7) days after the filing of the mandamus is an intentional act of obstruction of Justice by Judge Hall using pro se plaintiff status to hide her heinous crimes. Judge Egington ruling, whoever wrote it by any standard is totally incompetent. Lifetime appointments of Federal Judges as in these circumstances can be very dangerous to Federal plaintiffs.

Finally: Judge Halls intentional obstructionist Order to Show Cause dated May 5, 2004 received today May 8, 2005 attached to this letter to Your Honor with the plaintiffs response not for any legal determination on the pleading but for the reasons of showing the continued bold, flagrant and criminal Extra Judicial obstructionist tactics employed by the Bridgeport Division. Your Honor has both a position (Chief Judge) and Canon obligation to Your Honor's Article III Oath to stop this Third World Injustice. It is very wrong for Your Honor to stay silent and watch this Third World abuse. Please respond immediately.

Submitted By: _____

Gary R. Wall, Rule 11 (b)(1)(3) Civil Rights Petitioner

APP. P. 22

60 Carriage Hill Drive, Wethersfield, CT. 860-529-2651

EXHIBIT D

TEXT: ORDER TO SHOW CAUSE – MAY 5, 2005
U. S. D. J. JANET C. HALL

"The plaintiffs are hereby ordered to show cause why they have failed to comply with this court's scheduling Order (DKT. No. 281), and why such failure should not be sanctioned.

In that Order, the court directed that the plaintiffs were to file a status report "within four business days of receipt of any ruling(s) received by them from the United States Supreme Court with regard to this mandamus petition." Id at p.2. This court was informed that on April 18, 2004, the United States Supreme Court denied the Petition for Mandamus. Therefore, the plaintiffs should have advised the court and opposing counsel of the same by way of a status report filed on or about April 28, 2005. To date, there is no such status report filed on the docket of this court.

In addition to responding to this order to show cause, the court reminds all parties that its scheduling Order is in effect as set forth in referenced scheduling Order with respect to compliance with the pretrial order (Dkt. No. 264). Given the failure of the plaintiffs to file the status report notifying everyone of the denial

of the petition for Mandamus, the court hereby sets the due date for the filing of the Final Pretrial Order as 30 days from today, or June 3, 2005. A pretrial conference will be held on **JUNE 13, 2005 AT 10:00 a.m.** The court expects to try the case in August or September, but will issue a firm trial date at a subsequent time.

Failure of a party to comply with the Final Pretrial Order will result in sanctions, most likely the dismissal of the plaintiffs' claims or an entry of a default against a defendant.

SO ORDERED.

Dated at Bridgeport, Connecticut this 5th day of May, 2005.

Janet C. Hall USDJ"

EXHIBIT E

TEXT PLAINTIFFS RESPONSE TO ORDER TO SHOW CAUSE (RESPONSE DATED MAY 9, 2005:

COURTS CONTINUED
OBSTRUCTIONIST TACTICS

Accurately put, the plaintiffs did not comply with this Court's Scheduling Order because as of December 17, 2004 a notice of appeal in 3:97-CV-00942(JCH) was filed. By letter dated February 17, 2005 an "Acknowledgement Letter" was sent to the

plaintiffs acknowledging inter alia that the district file was in the Second Circuit, Case No. 05-CV-85 2d Cir. meaning this court no longer has jurisdiction. In response to the first sentence in the Court's ORDER TO SHOW CAUSE (dated May 5, 2005) quoted in italics for clarity:

"The plaintiffs are hereby ordered to
show cause why they have failed to
comply with this Court's
Scheduling Order (DKT. No. 281)
and why such failure should not be
sanctioned"

See next Dkt. #282 quoted off the docket sheet in italics for clarity:

"Notice of Appeal as to 280 order on Motion for Reconsideration by William Cooksey, Gary R. Walls filing fee $255.00 receipt number B009344. Certified Copy of Docket and copy of N.O.A. mailed to U.S.C.A. (Warren C.) (Entered 12/28/04)".

This is another Extra Judicial Act of Fraudulent Misconstruction of Fact and the Pleadings. Part of a documented and illustrated systematic plan to obstruct pro se pleadings using

the assumed integrity of Federal Judges against the assumed ignorance of pro se plaintiffs.

Motive being: protect the sociopolitical networks (D.N.C., D.O.J., Clintons) from their documented and illustrated conspiracy to defraud the Lawful functions of the United States ("Operating Agreement" buy out 212-page RICO Complaint).

This Court has an obligation to respond to this response immediately and in so doing, inform the plaintiffs' how the Court is going to have a pre-trial conference when the entire file is in the Second Circuit waiting for a scheduling order in 05-CV-85 2d. Cir.

This is another clear example of this Court intentional obstruction of the pleadings using the assumed integrity of a Federal Judge against the assumed ignorance of citizen pro se plaintiffs. This Courts obstructionist tactics (in their 8th year) have been so flagrant and reckless that your corrupt intentions can be perceived subject to your actions.

Example: The true reason for this Courts obstructionist "ORDER TO SHOW CAUSE" is to bring the LMRDA Complaint May 7, 1997 down to one issue membership. Then at the June 13, 2005 pre-trial conference suggesting by showing authority (regarding

one issue) that the defendants should grant membership and in so doing dismissing the case. In order to do that, this Court would have to have no regard for the Rule of Law and the opinion concerning membership in Wall, Cooksey v. Local 230 224 F3d 168(2d Cir. 2000). This Court would also have to have no regard for the Appellate process 05-CV-85 2d Cir.; 04-1079 In re Wall Sup. CT. Rule 44.2 Motion.

Membership without a finding of unlawful disciple is the insidious tactic at this stage of litigation (5 years from remand 224 F.3d 168 Supra) employed by this Court to protect the unlawful discipline that did occur documented and illustrated by approximately two years of depositions costing $25,000, which documented to this Court, union officers as the Governance Structure labeling as of 1995 the plaintiffs "Barred" in communication to the U. S. Attorney Office via the "Operating Agreement" and out loud to the membership (on tape) accusing plaintiff Wall of murder, shooting out windows of cars, baseball batting a business agent and multiple assaults and Hobbs Act violations accusing plaintiff Cooksey of being with Wall a "Majority of the Time". In the same breath from the podium,

accusing plaintiff Manos of making up his brutal assault. The expensive discovery proved all the allegations against Wall were fabricated in order to label Wall and Cooksey "Barred" and the expensive discovery also proved plaintiff Manos did not make up a story that he was assaulted and threatened, in the meaning of the Hobbs Act when he was our affiant. The expensive discovery also showed that our other affiant was threaten to be "shot six times in the head" (Mr. Gene Julian).

This Courts Extra Judicial Act to intentionally avoid documented evidence and in so doing chose to dismiss the unlawful discipline, is not an act of abuse of discretion. It is an intentional Extra Judicial Act of Misconstruction of the pleading and usurpation of the plaintiffs' Civil Rights.

All this intentional judicial obstruction has to stop. A copy of this response will be sent to the Chief Judge, district of Connecticut, as part of a F.R.C.P. 11(b)(1)(3) evidence for a Civil Right Act Complaint. Also requesting the Chief Judge police and stop your obstructionist acts, listening to Judge Nevas corruption influence in the Bridgeport Division has destroyed your integrity. The Judicial Crimes you have committed against us are

unthinkable for an Article III Official to commit. You started your career October 23, 1997 committing intentional criminal obstructionist acts (documented and illustrated) and you continue to do so to this day. It is this Rule 11 plaintiffs findings, subject to fact and actual occurrences, that your sociopolitical networks that put you on the bench, criminally controls the appeal process all the way, including the gates of the Supreme Court of the United States (will be cited in the Rule 44.2 Motion and to the Breyer Committee).

The pretrial conference and pretend trial on membership issue is a criminal judicial ploy meant to burden the plaintiffs and obstruct reviews of the criminal and civil circumstances in the LMRDA Complaint, stealing and usurping our Statutory and Constitutional Rights.

All the documented averments against you, and you just hide behind intentional obstructions and judicial manufactured confusion, hiding from your flagrant open and bold Extra Judicial Acts of Criminal Obstruction. You promised on the record prior to the dismissal of the LMRDA discipline claims, that oral argument would be granted, that turned out to be an intentional lie for fear of

what would be exposed in the hearing (Network Sociopolitical Influence used criminally). You now have to defend obvious and flagrant Extra Judicial Criminal actions from being exposed during a jury trial. To stop it you manufacture confusion and later blame the pro se's for the confusion. All the time allowing the defendants to use embezzled membership money to defend against their crimes in your Courtroom, knowing they are using embezzled money to do so in violation of a signed agreement with the Department of Justice.

Your immediate correction of your intentional obstructionist ORDER to show cause is an Absolute Constitutional Right. Your immediate cancellation of the June 13, 2005 pretrial conference subject to non-jurisdiction is also an absolute Constitutional Right. You cannot abuse and usurp our Rights to this degree and amount of time an expect us to stay silent.

SUBMITTED BY:

GARY R. WALL, Rule 11 Pro se plaintiff

60 Carriage Hill Drive

Wethersfield, CT. 06109

860-529-2651

APP. P. 30

WILLIAM COOKSEY SR, Pro se plaintiff

1097 Maple Avenue

Hartford, CT. 06114

EXHIBIT F

May 9, 2005

Chief United States Attorney

District of Connecticut

Kevin O'Connor, Esq.

157 Church Street

New Haven, CT. 06510

RE: 11(b)(1)(3) Inquire request – Access to Federal Grand Jury for Federal Statutory harm from a conspiracy to defraud the lawful functions of the United States 18 U. S. C. 371

Dear Chief O'Connor:

This follow up letter to you is being written to you because you have not responded to my December 27, 2004 letter (also entered in mandamus appendix pages 79-98 Sup. CT. Case No. 04-1079 In re Wall).

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This is a very serious matter concerning the usurpation of this Petitioners Civil Rights and plaintiffs Cooksey and Manos Civil Rights, caused by a conspiracy to defraud the lawful functions of the United States that being; the "Operating Agreement" between the Department of Justice OC Division and LIUNA.

Compounding said conspiracy to defraud the United States is the F.R.C.P. 11(b)(1)(3) fact, that Senior Judge Alan Nevas former U. S. Attorney, District of Connecticut O.C. Division, has been criminally obstructing this petitioners and plaintiffs Manos and Cooksey's cases Sub Rosa from his Bridgeport Division since October 23, 1997 (first transfer Judge Aginton to Judge Hall). Said criminal obstructing is being committed by Judge Nevas even though the cases are not assigned to him. He has committed these serious criminal actions by corruptly using law clerks in the Bridgeport Division to undermine and obstruct, doing so with the knowledge of two other Judges in the Bridgeport Division. That averment against Judge Nevas criminal actions is in compliance with F.R.C.P. 11(b)(1)(3).

As stated prior in this letter the December 27, 2004 letter to you from this petitioner was entered in the Sup. CT. Mandamus

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Appendix pages 79-98. Said mandamus was denied April 18, 2005 – an immediate Rule 44.2 Motion will be filed incorporating the intervening criminal obstructionist tactics in the Bridgeport Division and the non-response from your office to access to a Federal Grand Jury.

This unprecedented situation involving the criminal buy out of a 212-page RICO Complaint involving the Department of Justice, and the protection of fraud against the United States by former D. O. J., U. S. Attorney O.C. Division, now Senior Federal Judge Alan Nevas is ample justification for access to a Federal Grand Jury to protect our fundamental civil liberties from disgraceful Third World Executive and Judicial Branch obstruction tactics. No one is powerful enough not to be disgraced for his or her criminal actions. There are some D. O. J. officials who should be disgraced here and Federal Judges who should be disgraced. Their colleagues are not going to do it. This is the meaning of the Kefauver Commission warning dated 1951 App. P. 88, 89. See: "Third Interim Report of Special Committee to investigate Organized Crime in Interstate Commerce" Senate Report No. 307 82nd Congress, 1st Session (1951), P. 3 *"The Kefauver Crime*

Investigating Committee warned Americans not to rely upon the central government to control organized crime but to use their grand juries to attack the problem in their own communities".

This petitioner and plaintiffs Cooksey and Manos have an absolute Constitutional and Statutory Right to a Federal Grand Jury. Constitutionally in the meaning of Marbury v. Madison 1 Cranch 137, 163:

"The very essence of civil liberty consists in the right of every individual to claim the protection of the Laws, whenever he receives an injury".

Statutorily this petitioner and plaintiffs Cooksey and Manos have a Right of Statutory protection as "any person" under 18 U. S. C. 1964(c) for violations of Federal Criminal Law under Title 18 and Title 29 as "private attorney generals" see as authority Bankers Trust v. Rhoades 859 Fed Rep. 2d (2d Cir.) 1096 ID 1104 referencing RICO and the Clayton Act.

"That both statutes bring to bear the pressure of 'private attorney generals" on a serious national problem for which public prosecutorial resources are deemed inadequate" see also for

authority as "private attorneys general" Sedima v. Imrex 473 U. S. Id 496.

The need for access to a grand jury is also compounded by the fact that the statutory harm committed against the petitioner and plaintiffs is being caused by a conspiracy to defraud the Lawful Functions of the United States through the corrupt use of a Congressional Act, the Organized Crime Control Act 1970 (RICO) violating 18 U. S. C. 371 inter alia. Said 18 U.S.C. 371 conspiracy has corruptly influenced Federal Judges in the Bridgeport Division. The protection of the judicial crimes of protection of a RICO Enterprise has corrupted Law Clerks, other Federal Judges and the Institution itself. A disgraceful and reckless contamination of the judicial institutions integrity caused by Judge Nevas (inter alios) criminal obstructionist tactics for reasons of protecting his colleagues documented and illustrated criminal actions.
Judge Nevas corruptionist tactics have contaminated the entire institution, district level to the Supreme Court, as Kefauver warned Americans, only Grand Juries can protect against the central government when it is influenced by political and criminal conspiracies.

Therefore, standing for protection of harm to our Title 18 and 29 Rights is under 18 U. S. C. 1964(c). Standing as citizens of the United States against a conspiracy against the Lawful functions of the United States involving persons in the Executive Branch and Judicial Branch Standing is only by access to a Federal Grand Jury. Please take this letter as notice also if you decide not to grant access to the Grand Jury that you will be cited in the coming Civil Rights Act suit against Judge Nevas and the Bridgeport Division including law clerks. That 11(b)(3) statement is not meant to harass you. If events pending in the Bridgeport Division Second Circuit and Supreme Court are not corrected a civil rights act suit is the only option.

This is a very serious matter involving the corrupt use of 18 U.S.C. 1964(c) and the Judicial Protection of the corrupt use of 18 U.S.C. 1964(c), by judicial criminal obstruction of an 18 U.S.C. 1964(c) complaint in its 8th year.

This petitioner has been conducting an 11(b)(3) investigation that has taken years in order that the "factual contentions have evidentiary support"; all averments against Judge Nevas, other

Federal Judges and Law Clerks, he corruptly influenced are in compliance with F.R.C.P. 11(b)(3) procedures.

The criminal acts (Highest of High Crimes in the Meaning of Article II) initiated and corruptly influenced by Judge Nevas can not go unpunished to do so would disgrace the institution to a Third World Level.

The only access we have for Federal Statutory protection is the Grand Jury – if you deny citizens of the United States access, after reviewing the information sent to you, (Standing Order inter alia), which is now on an Alaskan Website, (www.Laborers.org Standing Order), then the Civil Rights plaintiffs must cite you as a defendant for violating inter alia our 5th Amendment Due Process Rights for the protection of our Constitutional Rights.

This is a very shameful situation caused by flagrant Extra Judicial Acts of Fraud, Obstruction and Deceit jeopardizing and harming our basic fundamental Rights. Your immediate attention and answer to this letter would be greatly appreciated. This letter will also be entered in the Appendix to the Rule 44.2 Motion, please respond.

Thank you.

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